

### §103 Rejection of the Claims

Claims 1-15 and 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Grate (US 5,956,483), hereinafter “Grate.” Applicant does not admit that Grate is prior art and reserves the right to swear behind it at a later date. Applicant nonetheless submits that the present invention is patentable over Grate and respectfully traverses these grounds for rejection for the following reasons.

Claim 1 recites:

“receiving from the applet which executes in the same computer system ... a request for a document;

determining that the request specifies a function ...execution of which performs a task which is unrelated to retrieval of any document specified in the request.”

Thus a request for a document is received from an applet, and the request specifies a function unrelated to retrieval of the document. In contrast, Grate describes that a user clicks a button, which causes a browser to send an HTTP POST message to a shopping client. (*Grate at column 2, lines 13-28.*) An HTTP POST message does not teach or suggest a request for a document. Instead, an HTTP POST message is

“a type of HTTP message which is used to request that the Web server accept information from the Web client. This information may, for example, be in the form of a message to be posed to a newsgroup, or a database submission which is executed by a CGI script.” *Grate at column 5, lines 52-57.*

Thus, an HTTP POST message is used to send information from the web client to the web server, which is the opposite direction of information flow in applicant’s claim 1, where the applet is requesting a document to be received. Thus, Grate teaches away from claim 1, which is compelling evidence of nonobviousness.

The Office Action argued that Grate describes an applet and cites the Grate HTML document. Applicant respectfully disagrees. The Grate HTML document does not teach or suggest an “applet which executes in the same computer system,” as claimed in claim 1 because the Grate HTML document does not execute on a computer system. Instead the Grate HTML document contains data and formatting control codes that are read and interpreted by a browser. (*Grate at column 5, lines 6-20 and Figs. 7A and 7B.*)

Thus, it is not possible to receive a request for a document from Grate's HTML document.

The Office Action also argued that applets are well known. Applicant respectfully disagrees. Claim 1 recites that a request for a document is received from an applet and the request specifies a function unrelated to the document. Applicant respectfully submits that receiving a request from an applet for a document that specifies a function is not well known and requests that the Examiner provide a reference that describes such an applet. Absent a reference, it appears that the Examiner is using personal knowledge, so the Examiner is respectfully requested to submit an affidavit as required by 37 C.F.R. section 1.104(d)(2).

The Office Action also argued that the Grate user-selectable button can be considered an applet because when the user selects the button, an HTTP POST message is sent. Applicant respectfully disagrees for similar reasons argued above, i.e., a browser interpreting a selected button and in response sending an HTTP POST message does not teach or suggest an applet sending a request for a document.

Independent claims 6 and 11 contain similar limitations as claim 1, and are patentable over Grate for similar reasons. Claims 2-5, 22, 7-10, and 12-15 are dependent on claims 1, 6, and 11, respectively and are patentable over Grate for the reasons argued above, plus the limitations in the claims.

#### Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612-371-2103) to facilitate prosecution of this application.

AMENDMENT & RESPONSE UNDER 37 C.F.R. § 1.116 - EXPEDITED PROCEDURE

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Date 12/21/2000

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Box AF, Commissioner of Patents, Washington, D.C. 20231, on this 29th day of December, 2000.

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